

LABEL, IN PART: (Box) "100 Transparent Clear First Aid Bands."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "First Aid Bands" was false and misleading as applied to the article which was not suitable for first-aid purposes because of its contamination with micro-organisms.

DISPOSITION: March 12, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1887. Misbranding of adhesive strips. U. S. v. 26 Cartons of Adhesive Strips. Default decree of condemnation and destruction. (F. D. C. No. 19366. Sample No. 59813-H.)

LABEL FILED: March 20, 1946, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 23, 1945, by the National First Aid Supply Co., from New York, N. Y.

PRODUCT: 26 cartons, each containing 6 dozen *adhesive strips* at Pittsburgh, Pa.

LABEL, IN PART: "National Adhesive Strips Ready for Use $\frac{3}{4}$ " x 3" Quick Aid."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "Adhesive Strips" was false and misleading as applied to the article, which possessed no adhesive properties.

DISPOSITION: May 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1888. Misbranding of heat lamps. U. S. v. 75 Devices called both Mir-A-Kal Ray Health Lamps and Eastman Filtered Infra-Red Heat Lamp, and a number of circulars. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18359. Sample No. 16022-H.)

LABEL FILED: November 13, 1945, Eastern District of Wisconsin.

ALLEGED SHIPMENT: By the J. H. Eastman Co., from Detroit, Mich. The lamps were shipped on or about April 23 and September 21, 1945. Some circulars were shipped with the lamps, and the remainder were shipped on various dates during 1945.

PRODUCT: 75 of the above-named devices at Milwaukee, Wis.; also approximately 500 circulars entitled "Eastman Filtered Infra-Red Heat Lamp. The Safe and Modern Way to apply Heat Therapeutically," approximately 1,000 circulars entitled "Eastman Mir-A-Kal Ray Health Lamp," and approximately 1,000 circulars entitled "The Eastman Filtered Infra-Red Heat Lamp. A scientifically Improved Principle in Heat Therapy."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements appearing in the circulars were false and misleading since they represented and suggested that the application of heat (infrared radiations) by use of the article would be effective in the treatment of, and would bring relief from, congestion, sinus infection, head colds, coughs, arthritis, neuritis, catarrh, backache, lumbago, bronchitis, sciatica, rheumatism, and aches and pains caused by congestion and resultant break-down in circulation; that it would be effective in the treatment of, and would bring relief in, sore throat, acne, menstrual pains, dental pain and pain generally; and that it would restore and maintain radiant health and would aid in healing after dental extraction. The application of heat (infrared radiations) would not be effective in bringing about the benefits claimed for the article.

DISPOSITION: February 6, 1946. The J. H. Eastman Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be withheld from sale until the circulars were revised to comply with the law, or destroyed, under the supervision of the Federal Security Agency.

DRUGS FOR VETERINARY USE*

1889. Misbranding of Goat Powder Rx No. 77, Udderine, Udder Balm, Worm Seed Rx No. 89, Worm Seed Rx for Goats and Kids, and Goat Kidding Rx. U. S. v. Dr. David Roberts Veterinary Co., Inc., Dr. David Roberts, and Lorimer D. Blott. Pleas of nolo contendere. Corporate defendant fined \$1,500; each individual defendant fined \$250. (F. D. C. No. 15508. Sample Nos. 61266-F, 71072-F, 71074-F, 71075-F, 79060-F, 79061-F.)

INFORMATION FILED: June 13, 1945, Eastern District of Wisconsin, against the Dr. David Roberts Veterinary Co., Inc., Waukesha, Wis., and Dr. David Roberts and Lorimer D. Blott, president and secretary, respectively, of the corporation.

*See also Nos. 1867, 1876.

ALLEGED SHIPMENT: Between the approximate dates of April 3 and June 17, 1944, from the State of Wisconsin into the States of Louisiana, Oregon, and Michigan.

PRODUCT: Analyses of samples gave the following results: The *Goat Powder Rx No. 77* consisted essentially of plant material, iron sulfate, charcoal, sulfur, boric acid, copper sulfate, phenothiazine 1.2 percent, nicotine 0.18 percent, rosin, and a nitrate; the *Udderine* was an emulsion containing chloroform, soap, ammonium chloride, water, and aromatics, including turpentine; the *Udder Balm* was an ointment composed of saponifiable and unsaponifiable fatty matter, together with volatile oils, including turpentine and oils of eucalyptus and sassafras; the *Worm Seed Rx No. 89* was composed essentially of powdered vegetable tissue, together with phenothiazine, nicotine, traces of volatile oils, and mineral compounds, including compounds of copper, ferrous iron, potassium nitrate, sulfate, and borate; the *Worm Seed Rx for Goats and Kids* consisted essentially of plant material, wormseed, anise, iron sulfate, copper sulfate, sulfur, charcoal, boric acid, rosin, saltpeter, phenothiazine 1.4 percent, and nicotine 0.095 percent; and the *Goat Kidding Rx* consisted essentially of plant material, including nux vomica, sodium chloride, sulfur, epsom salt, borax, rosin, carbolic acid, and starch.

NATURE OF CHARGE: *Goat Powder Rx No. 77.* Misbranding, Section 502 (a), the label statements, "Goat Powder Rx No. 77 To Medicate Salt for Goats * * * 'Worm' Themselves * * * Medicate all salt given to goats the year around, as they are daily exposed to worm eggs in hay or grass. Mix contents of this can with 36 pounds of common salt or 12 pounds with 150 pounds of salt and place it where the goats can have free access to it daily," were false and misleading in that they represented and implied that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms which infest goats. The article would not be efficacious for such purpose. Further misbranding, Section 502 (a), the label statement, "Ingredients: Phenothiazine American Worm Seed Quassia Tobacco Male Fern," was misleading in that it represented and implied that the article contained a sufficient amount of phenothiazine and nicotine, the active principle of the ingredient tobacco, to be effective when used as directed in the cure, mitigation, treatment, and prevention of worms which infest goats; and that American wormseed, quassia, and male fern would be efficacious for such purposes. The article did not contain sufficient phenothiazine and nicotine to be effective, when used as directed, against worms which infest goats; and American wormseed, quassia, and male fern would not be efficacious for such purpose.

Udderine. Misbranding, Section 502 (a), the label statement, "Udderine * * * For Mild Udder Ailments in Cows," and certain statements contained in an accompanying leaflet entitled "The Cattle Specialist," were false and misleading in that they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of mild udder ailments in cows; and that it would be efficacious in the cure, mitigation, treatment, and prevention of mastitis, caked or swollen udder, and other udder troubles. The article would not be efficacious for the purposes recommended and suggested. Further misbranding, Section 502 (a), the name of the article, "Udderine," created the misleading impression that the article would be efficacious in the cure, mitigation, treatment, and prevention of diseases of the udder in cows.

Udder Balm. Misbranding, Section 502 (a), the label statement, "Udder Balm * * * Apply Udder Balm freely twice daily to udder rubbing it in thoroughly," and certain statements contained in an accompanying circular, were false and misleading in that they represented and suggested that the article would be efficacious in keeping livestock healthy; and that it would be efficacious in the cure, mitigation, treatment, and prevention of mastitis, caked or swollen udder, and other udder troubles. The article would not be efficacious for such purposes. Further misbranding, Section 502 (a), the name of the article, "Udder Balm," created the misleading impression that the article would be efficacious in the cure, mitigation, treatment, or prevention of disease conditions of the udder.

Worm Seed Rx No. 89. Misbranding, Section 502 (a), the label statements, "Worm Seed Rx No. 89. For Common Worms in Livestock and Poultry," and certain statements contained in an accompanying leaflet, were false and misleading in that they represented and suggested that the article would be efficacious in keeping livestock healthy; and that it would be efficacious in the cure, mitigation, treatment, and prevention of worms that infest livestock and poultry. The article would not be efficacious for the purposes

recommended and suggested. Further misbranding, Section 502 (a), the statement, "Ingredients: Phenothiazine * * * Male Fern * * * Worm Seed," and the statement, "(Contains Phenothiazine)," appearing in an accompanying leaflet, were misleading in that they represented and implied that the article contained sufficient phenothiazine to be of value, when used as directed, in the cure, mitigation, treatment, and prevention of common worms in livestock and poultry; and that the ingredients male fern and wormseed would be efficacious for such purposes. The article did not contain sufficient phenothiazine to be of value for the purposes claimed, when used as directed; and the male fern and wormseed would not be efficacious for such purposes. Further misbranding, Section 502 (a), the name of the article, "Worm Seed R No. 89," created the misleading impression that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms in livestock and poultry.

Warm Seed R For Goats and Kids. Misbranding, Section 502 (a), the label statements, "Give a matured goat a teaspoonful of this powder morning and evening in feed for ten days as that is a worming. Give smaller dose to kids over 4 months old. This powder can be given to pregnant Does at any period of gestation. Mix the contents of this box with ten pounds of common salt. Let goats and kids have free access to it daily," were false and misleading in that they represented and implied that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms in goats and kids. The article would not be efficacious for such purposes. Further misbranding, Section 502 (a), the label statement, "Ingredients: Phenothiazine Worm Seed Male Fern Tobacco," was misleading in that it represented and implied that the article contained phenothiazine and nicotine, the active ingredient of tobacco, in amounts sufficient to be efficacious in the cure, mitigation, treatment, and prevention of worms in goats and kids; and that wormseed and male fern would be effective for such purposes. The article did not contain a sufficient amount of phenothiazine and nicotine to accomplish the result suggested and implied; and wormseed and male fern would not be efficacious for such purposes. Further misbranding, Section 502 (a), the name "Worm Seed R" created the misleading impression that the article would be efficacious in the cure, mitigation, treatment, and prevention of worms in goats and kids.

Goat Kidding R. Misbranding, Section 502 (a), the following statements on the label were false and misleading: "Goat Kidding R * * * The kidding period is a critical time in the life of the goat. The animal therefore requires special care and attention at that time. * * * Give a teaspoonful of Goat Kidding R in feed twice daily for one week before the goats kid and for a few days after kidding. If a goat fails to clean within two hours after kidding, give one teaspoonful of Goat Kidding R three times a day in feed." The statements represented, suggested, and implied that the article would be of value in the treatment of goats during the critical time of kidding; and that it would be efficacious in cleaning goats after kidding. It would not be of value for such purposes. Further misbranding, Section 502 (e), the label failed to bear a statement of the quantity or proportion of strychnine contained in the article.

DISPOSITION: January 18, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the court sentenced the corporate defendant to pay a fine of \$1,500 and each of the individual defendants to pay fines of \$250.

1890. Misbranding of Stock-Gro. U. S. v. 2 Barrels and 22 Cans of Stock-Gro, and 26 Circulars. Default decree of forfeiture and destruction. (F. D. C. No. 17336. Sample No. 13468-H.)

LIBEL FILED: September 7, 1945, Southern District of Indiana.

ALLEGED SHIPMENT: On or about August 1, 1945, by Stock-Gro, Inc., from Wapakoneta, Ohio.

PRODUCT: 2 500-pound barrels and 22 50-pound cans of *Stock-Gro* at Batesville, Ind., together with 20 circulars entitled "Stock-Gro promotes Health! Liveability! Reproduction! in Hogs" and 6 circulars entitled "What's in a Barrel of Stock-Gro?"

Examination showed that the product was an artificially colored, condensed by-product of milk.

LABEL, IN PART: "Stock-Gro * * * Ingredients: Condensed Whey."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in the circulars were false and misleading since they